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SUBJECT: UN/DRC SANCTIONS: COUNCIL REVIEWS SANCTIONS REGIME

Classified By: MINISTER-COUNSELOR JEFF DELAURENTIS, FOR REASONS 1.4 (B)
AND (D).

COUNCIL REVIEWS REPORT ON SANCTIONS IMPLEMENTATION

11. (C) GUIDANCE REQUEST: USUN seeks Department position on developing a list of names for targeted sanctions in the DRC Sanctions Committee.

12. (C) SUMMARY AND GUIDANCE REQUEST: The Security Council met on February 13 to review the sanctions regime concerning the Democratic Republic of the Congo before its expiration on February 15, and all delegations expressed support for the French draft resolution that will extend the sanctions until March 31. The French intend to rewrite the regime in the interim to refine its more cumbersome elements and clarify its focus on targeting militias. The DRC Sanctions Committee also met on February 8, in advance of the Council's consultations, to discuss the Group of Experts's report on the implementation of the sanctions. The Group found that illegal armed groups operating in Eastern Congo continued to easily acquire arms, despite the arms embargo, and suggested a number of rebels for targeted sanctions. The UK expressed privately to USUN its interest in moving forward on targeted sanctions on FDLR elements. DPKO also briefed the Committee on the GDRC's resistance to coordinating incoming shipments of arms with MONUC. END SUMMARY.

COUNCIL CONSULTATIONS ON THE SANCTIONS

13. (C) The Security Council met on February 13 to review of the sanctions regime concerning the Democratic Republic of the Congo (DRC) in advance of the expiration of the sanctions and the mandate of the Group of Experts on February 15. There was general agreement that, though there had been progress in recent weeks, the security situation in eastern Congo remained fragile and sanctions continued to play a valuable role in the international community's efforts to encourage stability. The French delegation indicated it would redraft the sanctions regime to clarify its focus on denying arms to militias, rather than on the Government of the DRC (GDRC). USUN, China, Belgium, and Burkina Faso all said that the sanctions should support the Government of the DRC in consolidating peace.

14. (C) Costa Rica, Croatia and Panama also argued that the DRC Sanctions Committee should address the recruitment of children into conflict, which the Group of Experts raised in its report. (Note: In past DRC Sanctions Committee meetings, Russia and South Africa have insisted that any discussion of recruitment of children falls outside of the Committee's mandate and should be addressed by the Working Group on

SANCTIONS COMMITTEE DISCUSSES THE GROUP'S REPORT

15. (C) The DRC Sanctions Committee met informally on February 8 to discuss the Group's report, which covered the period of November 2007 to January 2008. The Group, which serves as the Committee's investigative body on the ground, found that illegal armed groups in eastern Congo--of which FDLR and CNDP continued to pose the greatest threat to stability--also continued to receive arms, either via smuggling networks or, in the case of the FDLR, from individual FARDC elements. These groups financed their activities by taxing or directly producing agricultural or mineral products, and by taxing travelers at roadblocks. The Group considered that all mineral output originating in eastern Congo necessarily included minerals from deposits controlled or taxed by these illegal armed groups. The Group also suggested a number of rebels for targeted sanctions for their violations of the arms embargo and recruitment of children into conflict (see list in paras 8 and 9).

16. (C) USUN noted that the GDRC's persistent lack of capacity continued to hinder its implementation the arms embargo in the east, and encouraged the Panel to continue collecting evidence for targeted sanctions on individuals and entities that have violated the sanctions regime. The UK noted that the sanctions on Uganda Commercial Impex and Machanga--two gold trading companies found by the Committee to be supporting illegal armed groups in eastern Congo--had been effective in ceasing their operations, but also expressed surprise that banking authorities in Kinshasa did not have the list of individuals and entities designated for sanctions. (This list is available on the Committee's website.) China noted the importance the government's

support to effective sanctions implementation.

17. (C) A representative from the UN Department of Peacekeeping Operations (DPKO) also briefed, noting that MONUC had made a number of efforts to improve its embargo monitoring capability. However, MONUC continued to encounter resistance from the GDRC in notifying it of incoming shipments of arms and it has prevented MONUC from carrying out embargo inspections at airstrips and customs points. The Group confirmed that the GDRC has stated officially that the sanctions should be lifted, but noted that some DRC authorities also recognized the government's inability to control the situation in the east. The Group added that these same authorities gave no consideration to the fact that the FARDC is still a major conduit of arms to armed groups. Committee members agreed to establish better communication with the Congolese Mission to underline that the Council's measures are intended to support the GDRC in extending its authority throughout the country.

18. (C) The Group recommended for targeted sanctions the following individuals for belonging to an illegal armed group:

- Juma Ngilishuti, External Relations Commissioner, FDLR-FOCA
- Callixte Mbarushimana, Executive Secretary, FDLR-FOCA
- Stanislas Nzeyimana, Deputy Commander, FDLR-FOCA
- Pacifique Ntawunguka, North Kivu Commander, FDLR-FOCA
- Leopold Mulyambere, South Kivu Commander, FDLR-FOCA
- Sikuli Lafontaine, Leader, PARECO
- Jean Damascene Ndibabaje (AKA: Musare), Commander of RUD-Urunana
- Venant Bisoko, commander, Moranvia Group
- Michel Rukunda, commander, Moranvia Group

19. (C) The Group recommended for targeted sanctions the following individuals for belonging to an illegal armed group and for recruiting and using children in conflict:

- Innocent Kakundi, brigade commander, CNDP
- Saltani Makenga, brigade commander, CNDP
- Claude Micho, brigade commander, CNDP
- Wilson Sengiyumva, brigade commander, CNDP
- Faustin Muhindo, brigade commander, CNDP

¶10. (C) The Group expressed privately that although Kakundi and Makenga belonged to CNDP, which had signed the Actes d'Engagement, the Committee could still target them for their child recruitment activities. In a separate private conversation with the UK, France and Belgium, the UK expressed its willingness to move forward with targeted sanctions on FDLR members, and noted that London would begin developing cases to submit to the Committee for sanctions.

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